

REMARKS

Claims 1-5 and 7-26 were pending and presented for examination in this application.¹ In the Office Action dated December 11, 2007, claims 1-3, 7, 18-21 and 24 were allowed, claims 10, 22, 23, 25, and 26 were rejected, and claims 4, 5 and 8-17 were objected to.

Claims 4, 5, 8, 10, 11, 13, 16-18 and 25 are hereby amended to overcome the objection. Claims 10 and 25 are further amended to overcome the rejection based on 35 U.S.C. § 112. Claim 22 is hereby canceled without prejudice or disclaimer. Claim 23 is hereby amended to no longer depend from claim 22 which is canceled herein.

In view of the Amendments herein and the Remarks that follow, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Claim Objections

Claims 4-5, 8-17, 25 and 26 were objected to because of various informalities. This objection is overcome in view of the amendment to claims 4-5, 8-17, 25 and 26. Claims 4-5, 8-17, 25 and 26 were amended herein to correct various informalities. Therefore, the Examiner is respectfully requested to withdraw objections to these claims.

¹ Although the Office Action states that claims 1-26 were pending, claim 6 was canceled in the amendment dated September 26, 2007. Therefore, the pending claims are claims 1-5 and 7-26, not claims 1-26 as indicated in the Office Action.

Claim Rejections under 35 U.S.C. § 112

In the fourth paragraph of the Office Action, claims 10, 22 and 23 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Specifically, it is stated in the Office Action that the specification did not provide the support of the Kilobit per second range and the Megabit per second range as recited in the claims. This rejection is overcome in view of the amendment to claims 10 and 23. Claim 22 is canceled herein, and thus, rejection of claim 22 is now moot.

Claims 10 and 22 are hereby amended to recite that “the first data rate [or the second data rate] is approximately 9.6 Kilobits per second and the second data rate [or the first data rate] is approximately 2.5 Megabits per second.” These data rates are described, for example, in paragraph [0013] of the specification. Therefore, claims 10 and 22, as amended are enabled by the specification. Therefore, the Examiner is respectfully requested to withdraw this rejection.

In sixth paragraph of the Office Action, claims 25 and 26 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claim 25 was rejected as lacking antecedent basis for the phrases “the first time constant” and “the second time constant.” This rejection is overcome in view of the amendment.

Claim 25 is amended to recite “the first time constant *response*” and “the second time constant *response*.” These phrases have antecedent basis in claim 25. Therefore, claim 25 no longer recites any elements that lack antecedent basis. Therefore, the Examiner is respectfully requested to withdraw this rejection.

Conclusion

Applicants respectfully submit that claims 1-21 and 23-26, as presented herein, are patentable. Therefore, reconsideration and allowance of these claims are requested.

In addition, Applicants respectfully invite Examiner to contact Applicants’ representative at the number provided below regarding any remaining issues that may expedite favorable disposition of this application.

Respectfully Submitted,
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